

TRANSOK, LLC,	:	Order Docketing and Dismissing Appeal
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 01-77-A
ASSISTANT FIELD MANAGER, TULSA	:	
FIELD OFFICE, BUREAU OF LAND	:	
MANAGEMENT,	:	
Appellee	:	March 5, 2001

Appellant Transok, LLC, filed an appeal with the Board of Indian Appeals (Board) apparently seeking review of a January 12, 2001, decision issued by the Assistant Field Manager, Tulsa Field Office, Bureau of Land Management (BLM). The decision concerned Appellant's ownership of leasehold rights in the Tiger Wesley Oil and Gas Lease No. 61480 and, in particular, its ownership of the Tiger Wesley No. 1 well located in the SE¼ of sec. 30, T. 8 N., R. 11 E., Indian Meridian, Hughes County, Oklahoma. For the reason discussed below, the Board dismisses this appeal for lack of jurisdiction.

Appellant sought review by this Board because, according to Appellant, the matter "encompasses issues that are more properly presented to and decided by [this Board] as opposed to the BLM State Director and Interior Board of Land Appeals." Notice of Appeal at 1. As part of the relief requested, Appellant sought "guidance from the [Board], BLM State Director's Office and the Office of Hearings and Appeals as to the proper venue in which to pursue its appeal" from the January 12, 2001, order. *Id.* at 2.

At page 1 of a February 23, 2001, order requiring Appellant to clarify its appeal, the Board stated:

The Board is not a court of general jurisdiction, but has only that authority which has been delegated to it by the Secretary of the Interior. With the exception of BLM decisions involving the Indian Self-Determination Act, 25 U.S.C. §§ 450-450n, the Board does not have jurisdiction to review BLM decisions. That jurisdiction instead rests with the Interior Board of Land Appeals under 43 C.F.R. § 4.410. In this case, it appears that jurisdiction to review the decision at issue is still within the BLM, *i.e.*, with the BLM State

Director. The Board is not at liberty to disregard duly promulgated Departmental regulations.

The Board now specifically holds that it lacks authority to review the BLM decision at issue here.

In its February 23, 2001, order, the Board noted that the materials which Appellant submitted with its notice of appeal included a January 23, 2001, decision issued by the Acting Eastern Oklahoma Regional Director, Bureau of Indian Affairs. It stated that it was not clear whether Appellant also intended to appeal this decision, and gave Appellant an opportunity to state whether it did intend to appeal from that decision.

On March 1, 2001, the Board received a notice of appeal from Appellant clearly appealing from the January 23, 2001, BIA decision. The notice of appeal also clarifies that Appellant did not intend to include an appeal from the BIA decision in the appeal from the present BLM decision. Because the Board lacks authority to review the BLM decision, and because Appellant has filed a separate appeal from the BIA decision, the Board finds that the appeal from the BLM decision should be dismissed.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal from the January 12, 2001, decision issued by the Assistant Field Manager, Tulsa Field Office, Bureau of Land Management, is dismissed for lack of jurisdiction.

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Kathryn A. Lynn  
Chief Administrative Judge

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Anita Vogt  
Administrative Judge